IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

WP(C).No. 25644 of 2007(C)

PETITIONER:

T.R.INDRABALAN,
COMMERCIAL TAX INSPECTOR (UNDER SUSPENSION),
"ARUNENDU", VMC WARD 22, NEAR AYURVEDIC HOSPITAL,
VAIKOM P.O., KOTTAYAM.

BY ADV. SRI.VIJAYAN. K.U.
SRI.K.N.SREEKUMARAN

RESPONDENTS:

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1. COMMISSIONER OF COMMERCIAL TAXES,
VIKAS BHAVAN P.O., THIRUVANANTHAPURAM.

2. SECRETARY TO GOVERNMENT,
TAXES DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P.(C) NO.25644 of 2007

Dated this the 6th day of September, 2007

JUDGMENT

The petitioner, who has been suspended pending enquiry as per Ext.P2 order dated 9/10/2006, later approached the Commissioner vide Exts.P3 to P5 for a review of the order of suspension, and if possible, reinstatement in service. It is up to the appointing authority and the disciplinary authority to consider whether the suspension should be continued or not. I am not inclined to interfere with Ext.P2 order. But since the order was passed on 9.10.2006 and the petitioner has approached the Commissioner raising his grievance in this regard, I dispose of the writ petition directing the first respondent to take note of Ext.P5 and after affording an opportunity of being heard to the petitioner, the Commissioner shall take an appropriate decision within a period of two months from the date of receipt of a copy of this judgment. I make it clear that I do not express any opinion on the merit of the reliefs claimed by the petitioner.

V.GIRI, JUDGE

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